

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 6245
OFFERED BY MR. HILL OF ARKANSAS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Holding Iranian Lead-
3 ers Accountable Act of 2023”.

4 SEC. 2. FINDINGS.

5 The Congress finds the following:

6 (1) Iran is characterized by high levels of offi-
7 cial and institutional corruption, and substantial in-
8 volvement by Iran’s security forces, particularly the
9 Islamic Revolutionary Guard Corps (IRGC), in the
10 economy.

11 (2) The Department of Treasury in 2019 des-
12 ignated the Islamic Republic of Iran’s financial sec-
13 tor as a jurisdiction of primary money laundering
14 concern, concluding, “Iran has developed covert
15 methods for accessing the international financial sys-
16 tem and pursuing its malign activities, including
17 misusing banks and exchange houses, operating pro-
18 curement networks that utilize front or shell compa-

1 nies, exploiting commercial shipping, and masking il-
2 licit transactions using senior officials, including
3 those at the Central Bank of Iran (CBI).”.

4 (3) In June 2019, the Financial Action Task
5 Force (FATF) urged all jurisdictions to require in-
6 creased supervisory examination for branches and
7 subsidiaries of financial institutions based in Iran.
8 The FATF later called upon its members to intro-
9 duce enhanced relevant reporting mechanisms or
10 systematic reporting of financial transactions, and
11 require increased external audit requirements, for fi-
12 nancial groups with respect to any of their branches
13 and subsidiaries located in Iran.

14 (4) According to the State Department’s
15 “Country Reports on Terrorism” in 2021, “Iran
16 continued to be the leading state sponsor of ter-
17 rorism, facilitating a wide range of terrorist and
18 other illicit activities around the world. Regionally,
19 Iran supported acts of terrorism in Bahrain, Iraq,
20 Lebanon, Syria, and Yemen through proxies and
21 partner groups such as Hizballah and Hamas.”.

1 **SEC. 3. REPORT ON FINANCIAL INSTITUTIONS AND ASSETS**
2 **CONNECTED TO CERTAIN IRANIAN OFFI-**
3 **CIALS.**

4 (a) FINANCIAL INSTITUTIONS AND ASSETS RE-
5 PORT.—

6 (1) IN GENERAL.—Not later than 180 days
7 after the date of the enactment of this Act, and
8 every 2 years thereafter, the President shall submit
9 a report to the appropriate Members of Congress
10 containing—

11 (A) the estimated total funds or assets
12 that are under direct or indirect control by each
13 of the natural persons described under sub-
14 section (b), and a description of such funds or
15 assets, except that the President may limit cov-
16 erage of the report to not fewer than 5 of such
17 natural persons in order to meet the submission
18 deadline described under this paragraph;

19 (B) a description of how such funds or as-
20 sets were acquired, and how they have been
21 used or employed;

22 (C) a list of any non-Iranian financial in-
23 stitutions that—

24 (i) maintain an account in connection
25 with funds or assets described in subpara-
26 graph (A); or

1 (ii) knowingly provide significant fi-
2 nancial services to a natural person cov-
3 ered by the report; and

4 (D) a description of any illicit or corrupt
5 means employed to acquire or use such funds or
6 assets.

7 (2) EXEMPTIONS.—The requirements described
8 under paragraph (1) may not be applied with re-
9 spect to a natural person or a financial institution,
10 as the case may be, if the President determines:

11 (A) The funds or assets described under
12 subparagraph (A) of paragraph (1) were ac-
13 quired through legal or noncorrupt means.

14 (B) The natural person has agreed to pro-
15 vide significant cooperation to the United
16 States for an important national security or law
17 enforcement purpose with respect to Iran.

18 (C) A financial institution that would oth-
19 erwise be listed in the report required by para-
20 graph (1) has agreed to—

21 (i) no longer maintain an account de-
22 scribed under subparagraph (C)(i) of para-
23 graph (1);

1 (ii) no longer provide significant fi-
2 nancial services to a natural person cov-
3 ered by the report; or

4 (iii) provide significant cooperation to
5 the United States for an important na-
6 tional security or law enforcement purpose
7 with respect to Iran.

8 (3) WAIVER.—The President may waive for up
9 to 1 year at a time any requirement under para-
10 graph (1) with respect to a natural person or a fi-
11 nancial institution after reporting in writing to the
12 appropriate Members of Congress that the waiver is
13 in the national interest of the United States, with a
14 detailed explanation of the reasons therefor.

15 (b) PERSONS DESCRIBED.—The natural persons de-
16 scribed in this subsection are the following:

17 (1) The Supreme Leader of Iran.

18 (2) The President of Iran.

19 (3) The members of the Council of Guardians.

20 (4) The members of the Expediency Council.

21 (5) The Minister of Intelligence and Security.

22 (6) The Commander and the Deputy Com-
23 mander of the IRGC.

24 (7) The Commander and the Deputy Com-
25 mander of the IRGC Ground Forces.

1 (8) The Commander and the Deputy Com-
2 mander of the IRGC Aerospace Force.

3 (9) The Commander and the Deputy Com-
4 mander of the IRGC Navy.

5 (10) The Commander of the Basij-e-
6 Mostaz'afin.

7 (11) The Commander of the Qods Force.

8 (12) The Commander in Chief of the Police
9 Force.

10 (13) The head of the IRGC Joint Staff.

11 (14) The Commander of the IRGC Intelligence.

12 (15) The head of the IRGC Imam Hussein Uni-
13 versity.

14 (16) The Supreme Leader's Representative at
15 the IRGC.

16 (17) The Chief Executive Officer and the
17 Chairman of the IRGC Cooperative Foundation.

18 (18) The Commander of the Khatam-al-Anbia
19 Construction Head Quarter.

20 (19) The Chief Executive Officer of the Basij
21 Cooperative Foundation.

22 (20) The head of the Political Bureau of the
23 IRGC.

24 (21) The senior leadership as determined by the
25 President of the following groups:

1 (A) Hizballah.

2 (B) Hamas.

3 (C) Palestinian Islamic Jihad.

4 (D) Kata'ib Hizballah.

5 (c) FORM OF REPORT; PUBLIC AVAILABILITY.—

6 (1) FORM.—The report required under sub-
7 section (a) and any waiver under subsection (a)(3)
8 shall be submitted in unclassified form but may con-
9 tain a classified annex.

10 (2) PUBLIC AVAILABILITY.—The Secretary
11 shall make the unclassified portion of such report
12 public if the Secretary notifies the appropriate Mem-
13 bers of Congress that the publication is in the na-
14 tional interest of the United States and would sub-
15 stantially promote—

16 (A) deterring or sanctioning official cor-
17 ruption in Iran;

18 (B) holding natural persons or financial in-
19 stitutions listed in the report accountable to the
20 people of Iran;

21 (C) combating money laundering or the fi-
22 nancing of terrorism; or

23 (D) achieving any other strategic objective
24 with respect to the Government of Iran.

1 (3) **FORMAT OF PUBLICLY AVAILABLE RE-**
2 **PORTS.**—If the Secretary makes the unclassified
3 portion of a report public pursuant to paragraph
4 (2), the Secretary shall make it available to the pub-
5 lic on the website of the Department of the Treas-
6 ury—

7 (A) in English, Farsi, Arabic, and Azeri;
8 and

9 (B) in precompressed, easily downloadable
10 versions that are made available in all appro-
11 priate formats.

12 **SEC. 4. RESTRICTIONS ON CERTAIN FINANCIAL INSTITU-**
13 **TIONS.**

14 (a) **IN GENERAL.**—Not later than the date that is
15 90 days after submitting a report described under section
16 3(a)(1), the Secretary shall undertake the following with
17 respect to a financial institution that is described under
18 section 3(a)(1)(C) and listed in the report:

19 (1) If the financial institution is a United
20 States financial institution, require the closure of
21 any account described in section 3(a)(1)(C)(i), and
22 prohibit the provision of significant financial serv-
23 ices, directly or indirectly, to a natural person cov-
24 ered by the report.

1 Nations, signed at Lake Success June 26, 1947, and
2 entered into force November 21, 1947, or under the
3 Convention on Consular Relations, done at Vienna
4 April 24, 1963, and entered into force March 19,
5 1967, or other applicable international obligations of
6 the United States.

7 (3) The conduct or facilitation of a transaction
8 for the sale of agricultural commodities, food, medi-
9 cine, or medical devices to Iran or for the provision
10 of humanitarian assistance to the people of Iran, in-
11 cluding engaging in a financial transaction relating
12 to humanitarian assistance or for humanitarian pur-
13 poses or transporting goods or services that are nec-
14 essary to carry out operations relating to humani-
15 tarian assistance or humanitarian purposes.

16 **SEC. 6. SUNSET.**

17 The provisions of this Act shall have no force or effect
18 on the earlier of—

19 (1) the date that is 5 years after the date of en-
20 actment of this Act; or

21 (2) 30 days after the Secretary reports in writ-
22 ing to the appropriate Members of Congress that—

23 (A) Iran is not a jurisdiction of primary
24 money laundering concern; or

1 (B) the Government of Iran is providing
2 significant cooperation to the United States for
3 the purpose of preventing acts of international
4 terrorism, or for the promotion of any other
5 strategic objective that is important to the na-
6 tional interest of the United States, as specified
7 in the report by the Secretary.

8 **SEC. 7. DEFINITIONS.**

9 For purposes of this Act:

10 (1) APPROPRIATE MEMBERS OF CONGRESS.—

11 The term “appropriate Members of Congress”
12 means the Speaker and Minority Leader of the
13 House of Representatives, the Majority Leader and
14 Minority Leader of the Senate, the Chairman and
15 Ranking Member of the Committee on Financial
16 Services of the House of Representatives, and the
17 Chairman and Ranking Member of the Committee
18 on Banking, Housing, and Urban Affairs of the Sen-
19 ate.

20 (2) FINANCIAL INSTITUTION.—The term “fi-
21 nancial institution” means a United States financial
22 institution or a foreign financial institution.

23 (3) FOREIGN FINANCIAL INSTITUTION.—The
24 term “foreign financial institution” has the meaning

1 given that term in section 561.308 of title 31, Code
2 of Federal Regulations.

3 (4) FUNDS.—The term “funds” means—

4 (A) cash;

5 (B) equity;

6 (C) any other asset whose value is derived
7 from a contractual claim, including bank depos-
8 its, bonds, stocks, a security as defined in sec-
9 tion 2(a) of the Securities Act of 1933 (15
10 U.S.C. 77b(a)), or a security or an equity secu-
11 rity as defined in section 3(a) of the Securities
12 Exchange Act of 1934 (15 U.S.C. 78c(a)); and

13 (D) anything else that the Secretary deter-
14 mines appropriate.

15 (5) KNOWINGLY.—The term “knowingly” with
16 respect to conduct, a circumstance, or a result,
17 means that a person has actual knowledge, or should
18 have known, of the conduct, the circumstance, or the
19 result.

20 (6) SECRETARY.—The term “Secretary” means
21 the Secretary of the Treasury.

22 (7) UNITED STATES FINANCIAL INSTITUTION.—
23 The term “United States financial institution” has
24 the meaning given the term “U.S. financial institu-

1 tion” under section 561.309 of title 31, Code of
2 Federal Regulations.

